

Federal Communications Commission
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DA 07-1945
April 27, 2007

COMMENTS INVITED ON APPLICATION OF RNK INC. D/B/A RNK
COMMUNICATIONS TO DISCONTINUE DOMESTIC
TELECOMMUNICATIONS SERVICES

WC Docket No. 07-92
Comp. Pol. File No. 792

Comments Due: May 14, 2007

Section 214 Application
Applicant: RNK Inc. d/b/a RNK Communications

On April 16, 2007, RNK Inc. d/b/a RNK Communications (RNK or Applicant), located at 333 Elm St., Suite 310, Dedham, MA 02026, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services in Massachusetts.

RNK indicates that it currently provides resold local exchange service to approximately 119 residential and small business customers in Massachusetts. RNK states, however, that it has revised its business plan and now intends to discontinue its provision of these services to customers in Massachusetts. RNK states that it will continue to provide resold and facilities-based local exchange services to high volume business customers, retail and wholesale interconnected VOIP service, pre-paid and post-paid calling card service, wholesale services, business lines and operations in other states. According to RNK, the anticipated date for the proposed discontinuance is May 7, 2007, or as soon thereafter as the necessary regulatory approvals can be obtained. RNK indicates that it notified affected customers of the proposed discontinuance by letters mailed on March 5, 2007 and March 6, 2007, and by a notice that included the language required by section 63.71(a)(5)(i) of the Commission's rules on April 5, 2007. Additionally, RNK notes that it does not have any carrier of last resort obligations with respect to these customers because it provides these services as a reseller via the underlying network of the incumbent local exchange carrier, Verizon New England, Inc. Finally, RNK asserts that it is non-dominant with respect to the services it proposes to discontinue.

In accordance with section 63.71(c) of the Commission's rules, RNK's application will be deemed to be granted automatically on the thirty-first (31st) day after the release date of this public notice, unless the Commission notifies RNK that the grant will not be automatically effective. In RNK's notice to its customers, RNK indicates that it anticipates discontinuing service on May 7, 2007. However, as RNK did not submit its application until April 16, 2007, RNK acknowledges that its

discontinuance date will occur as soon thereafter as the necessary regulatory approvals can be obtained. Accordingly, pursuant to section 63.71(c), absent further Commission action, RNK may terminate service on **May 28, 2007**. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **May 14, 2007**. Such comments should refer to **WC Docket No. 07-92** and **Comp. Pol. File No. 792**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. **Any** envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals 11.445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at

FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or John Adams, (202) 418-0394 (voice), john.adams@fcc.gov of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/web/cpd/other_adjud.

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